

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/564,825 Confirmation No.: 3168
Applicant : Pierre-Etienne CHABRIER DE LASSAUNIERE
Filed : January 18, 2006
Title : USE OF BOTULINUM TOXIN FOR PRODUCING DRUG FOR PREVENTING OR TREATING FINAL PHASE OF LUNG TROUBLES
TC/Art Unit : *To Be Assigned*
Examiner: : *To Be Assigned*

Docket No. : 58767.000011
Customer No. : 21967

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Sir,

Responsive to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (the "Notification"), mailed April 17, 2006 Applicant submits herewith an executed declaration of the inventor, along with a copy of the Notification of Missing Requirements.

A check in the amount of \$130.00 is attached to cover the late Declaration surcharge fee. No additional fees are believed necessary with this submission. However, the Commissioner is hereby authorized to charge such fees, or credit any overpayment, to Deposit Account No. 50-0206.

06/21/2006 MKAYPAGH 00000101 10564825

01 FC:1617

130.00 OP

Conclusion

An indication of allowance of all claims is earnestly solicited. Early notification of a favorable consideration is respectfully requested.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: June 16, 2006

By:


Robert C. Lampe III
Registration No. 51,914

HUNTON & WILLIAMS LLP
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Telephone: (202) 955-1500
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FEE TRANSMITTAL

O P E
JUN 16 2006
P A T E N T & T R A D E M A R K S
S E R V I C E S

MAIL STOP MISSING PARTS

Complete If Known

Application No.	10/564,825
Filing Date	January 18, 2006
First Named Inventor	Pierre E. Chabrier de Lassauniere
Examiner Name	Not assigned
Group Art Unit	Not assigned

Total Amount Of Payment (\$ 130.00)

Attorney Docket No. 58767.000011

METHOD OF PAYMENT (check one)

1. The Commissioner for Patents is hereby authorized to charge indicated fees and credit any over payments to **Deposit Account No. 50-0206** in the name of Hunton & Williams LLP.

2. Check Enclosed. The Commissioner for Patents is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No. 50-0206** in the name of Hunton & Williams LLP, 1900 K Street, N.W., Suite 1200, Washington, D.C. 20006-1109.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Description	Fee Paid
<input type="checkbox"/> Surcharge - late filing fee or oath	\$ 130.00
<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$
<input type="checkbox"/> _____ Month Extension of Time	\$
<input type="checkbox"/> Notice of Appeal	\$
<input type="checkbox"/> Filing Brief in Support of Appeal	\$
<input type="checkbox"/> Request for Oral Hearing	\$
<input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)	\$
<input type="checkbox"/> Design Issue Fee	\$
<input type="checkbox"/> Plant Issue Fee	\$
<input type="checkbox"/> Petition to Commissioner	\$
<input type="checkbox"/> Petition to Revive (Unavoidable)	\$
<input type="checkbox"/> Petition to Revive (Unintentional)	\$
<input type="checkbox"/> Petitions Related to Provisional Applications	\$
<input type="checkbox"/> Submission of Information Disclosure Statement	\$
<input type="checkbox"/> Filing Submission After Final Rejection	\$
<input type="checkbox"/> Recording Each Patent Assignment Per Property	\$
<input type="checkbox"/> Filing Request for Reexamination	\$
<input type="checkbox"/> Other (specify) _____	\$

FEE CALCULATION

1. **BASIC FILING FEE** Large Entity Small Entity

FEE PAID

Utility Filing Fee	\$
Design Filing Fee	\$
Plant Filing Fee	\$
Reissue Filing Fee	\$
Provisional Filing Fee	\$

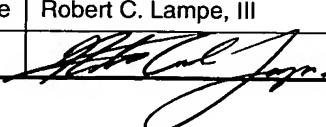
2. EXTRA CLAIMS FEES

CLAIMS AS AMENDED

For	Number Present	Highest Number Paid For	Extra	Rate		Amount
				Large Entity	Small Entity	
TOTAL CLAIMS		20	0	x \$ 18.00	x \$ 9.00	\$ 0.00
INDEPENDENT CLAIMS		3	0	x \$ 86.00	x \$ 43.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS				\$ 290.00	\$ 145.00	\$ 0.00
TOTAL EXTRA CLAIMS FEES						\$ 0.00

SUBMITTED BY

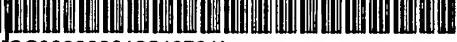
Complete (if applicable)

Typed or Printed Name	Robert C. Lampe, III	Registration No.	51,914
Signature		Date	June 16, 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/564,825	Pierre E. C. De lassa Uniere	58767.000011
INTERNATIONAL APPLICATION NO.		
PCT/FR04/01870		
I.A. FILING DATE		PRIORITY DATE
07/16/2004		07/18/2003
CONFIRMATION NO. 3168		
371 FORMALITIES LETTER		
 10C000000018540701*		

58767.11

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 APR 19 2006
 8159
 Hunton & Williams LLP

Date Mailed: 04/17/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/18/2006
- English Translation of the IA filed on 01/18/2006
- Copy of the International Search Report filed on 01/18/2006
- Preliminary Amendments filed on 01/18/2006
- U.S. Basic National Fees filed on 01/18/2006
- Priority Documents filed on 01/18/2006

ACTION CODE: 4-19-06
 DUE DATE: 4-17-06
 DUE DATE: 6-17-06
 DUE DATE: 11-17-06
 DUE DATE: RMS/RCL

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/564,825	PCT/FR04/01870	58767.000011

FORM PCT/DO/EO/905 (371 Formalities Notice)